GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Planning Department – Allegations of acquisition of Assets disproportionate to the known sources of income – Criminal case registered against Sri Chintapalli Patta Govinda Raju, Assistant Statistical Officer (Now Retd.), O/o Tahsildar, Obulavaripalli Mandal, YSR Kadapa District – Prosecution orders issued - Compliance to orders of the Hon'ble High Court in W.A.No.719 of 2023 filed against challenging the orders in W.P.No.21570 of 2017 - withdrawal of prosecution - Orders – Issued.

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PLANNING (III) DEPARTMENT

G.O.MS.No. 7 **Dated: 24-04-2025**

Read the following:-

1. From the Director General, Anti Corruption Bureau, Final Report, dt:20.07.2015
2. Government Memo.No.8026/Plg.Vig /2011-13, dt:13.04.2017.
3. G.O.Ms.No.6, Planning (III) Department, dt:26.04.2017.
4. Representation of Sri .C.P.Govinda Raju, Assistant Statistical Officer (Retd) dated:05.07.2022 along with the orders of the Hon'ble High Court in W.P.No:21570/2017.
5. From the Director General, Anti Corruption Bureau, Rc.No.139/RCA-TCD/2011, dt:17.01.2023.
6. Government Memo.No .8026/Plg.III(Vig.)/A2/2011-20, dt:20.04.2023.
7. Representation of Sri .C.P.Govinda Raju, Assistant Section officer (Retd) dated:17.10.2023 along with the orders of the Hon'ble High Court in the W.A.No.719 of 2023.
8. From the Director General, Anti Corruption Bureau, Rc.No.139/RCA-TCD/2011, dt:04.12.2023.

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O R D E R:

In the reference 3rd read above, Government issued orders for Sanction of prosecution in the Disproportionate of Assets case in Crime No.10/RCA-TCT/2011, U/sec. 13(2) r/w 13(1)(e) of the P.C Act,1988 registered on 15.06.2011 against Sri Chintapalli Patta Govinda Raju, Assistant Statistical Officer (Now Retd.), O/o Tahsildar, Obulavaripalli Mandal, YSR Kadapa District.

2. The Accused Officer has filed Writ Petition No.21570/2017 challenging the prosecution orders issued vide reference 3rd cited and the Hon'ble High Court in it's orders in W.P.No.21570/2017, Dt:15.06.2022 has held that, *upon considering the submissions made by both the learned counsels and the principles laid down by the Hon'ble Supreme Court and this court, this writ petition is allowed, setting aside the prosecution issued vide G.O.Ms.No.6, Planning (III) Department, Dt:26.04.2017. However, "It is open for the respondents herein, if so advised, to pass appropriate orders afresh, in accordance with law and in the light of the observations made supra".*

3. In the reference 6th read above, Government has directed the Director, Directorate of Economics & Statistics to file writ appeal challenging the orders of the Hon'ble High Court and sustaining the prosecution against the charged officer duly taking assistance from the Director General, Anti Corruption Bureau. Accordingly, Director, Directorate of Economics & Statistics, Vijayawada has filed the Writ Appeal No:719/2023 before the Hon'ble High Court.

4. In the reference 4th read above, the Accused Officer, Sri Chintapalli Govinda Raju submitted his representation while enclosing the orders of the Hon'ble High Court in W.A.No.719 of 2023 filed against challenging the orders in W.P.No.21570 of 2017 and he has requested the Government, to consider and implement the orders of the Hon'ble

High Court and release all the Pensionary benefits on humanitarian grounds and do justice. The orders of the Hon'ble High Court in Writ Appeal No:719/2023 is as follows:

> *"No explanation is furnished in the affidavit as to why no steps were taken to file an appeal even after the certified copy of the order was received and it was made ready by the High Court" and opined that, " no sufficient cause is made out to condone the delay and dismissed the IA No: 01/2023 and consequently, the writ appeal No:719/2023 is also dismissed".*

5. In the reference 8th read above, the DG, ACB has stated that, "No explanation is furnished in the affidavit as to why no steps were taken to file an appeal even after the certified copy of the order was received and it was made ready by the High Court" and opined that, no sufficient cause is made out to condone the delay and dismissed the IA No:01/2023 and consequently, the writ appeal No:719/2023 is also dismissed and further stated that, as per the observation of the Hon'ble High Court in the orders in W.P. No:21570/2017 "It is open for the respondent herein, if so advised, to pass appropriate orders afresh as per law" remains in force.

6. After careful examination of the matter and in consultation with the advisory bodies, Government hereby withdraw prosecution against Sri Chintapalli Patta Govinda Raju, Assistant Statistical Officer (Retd.), O/o Tahsildar, Obulavaripalli Mandal, YSR Kadapa District issued vide reference 3rd read above, in compliance to the orders of the Hon'ble High Court in W.P. No: 21570/2017 and in W.A.No.719 of 2023, since finality conveyed by the dismissal of the Writ Appeal signifies a legal decision against the respondents. The effort to issue a fresh order for the sanction of the Accused Officer, despite the earlier dismissal prompts questions about the consistency and legal foundation of the actions of the respondents.

7. The Director General, Anti-Corruption Bureau, Vijayawada, is therefore requested to direct the concerned Public Prosecutor to withdraw the prosecution filed against *Sri Chintapalli Patta Govinda Raju, Assistant Statistical Officer (Retd.), O/o Tahsildar, Obulavaripalli Mandal, YSR Kadapa District*.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Director General, Anti-Corruption Bureau, Vijayawada.
Copy to:
The Director, Directorate of Economics & Statistics, Vijayawada.
The Vigilance Commissioner, APVC, A.P Secretariat, Velagapudi.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER